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Attorneys for Defendants
ANDREW B. STROUD, an individual
and STROUD PRODUCTIONS AND
ENTERPRISES, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

STEVEN AMES BROWN,
Plaintiff,

VS.

ANDREW B. STROUD, an individual
and STROUD PRODUCTIONS AND
ENTERPRISES, INC.,

Defendants.

Case No.: 08-CV-02348-VRW

**STIPULATION AND [PROPOSED]
ORDER TO CONTINUE CASE
MANAGEMENT CONFERENCE**

Date: August 14, 2008

Time: 3:30 p.m.

Courtroom: 6

Honorable Vaughn R. Walker

The parties, plaintiff Steven A. Brown (“plaintiff”) and defendants Andrew B. Stroud and Stroud Production & Enterprises, Inc., (hereafter, “Stroud” or “defendants” as appropriate), through their counsel, respectfully request that the Court continue the Case Management conference, currently scheduled for August 14, 2008.

Good cause exists to continue the Case Management Conference because the defendants currently have pending before the Court a Motion to Dismiss for lack of jurisdiction, currently set to be heard on August 21, 2008. Resolution of that issue (in either party's favor), will drastically effect the direction of this case and the issues (or non issues) to be addressed at a Case Management Conference. Without resolution of that issue, the parties' views of the case are radically different.

1 Additional cause exists to continue the Conference because defense counsel was previously
 2 unaware that the Conference was scheduled for August 14, 2008, and will be out of the country
 3 during that week (which is the reason the hearing was moved from August 14 to August 21, 2008).
 4 Defense counsel apologizes to the Court and counsel for any inconvenience his confusion regarding
 5 the CMC has caused, including the failure to submit a joint CMC statement. It was not his intention
 6 to fail to comply with that obligation.

7 In order to provide sufficient time between the August 21, 2008 hearing and the Case
 8 Management Conference (and pre-conference obligations) the parties hereby request that Case
 9 Management Conference be continued to September 11, 2008, or some other date convenient to the
 10 Court, with pretrial filings to take place in accord with the Local Rules.

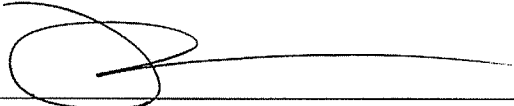
11 Alternatively, the parties request that the Conference be continued to August 21, 2008, to be
 12 heard simultaneously with defendants' motion for dismiss.

13 **IT IS SO STIPULATED**

14 CANNATA, CHING & O'TOOLE LLP

15
 16 Dated: August 7, 2008


By


 Therese Y. Cannata
 Attorneys for Plaintiff
 STEVEN A. BROWN

17
 18
 19
 20 Dated: August 7, 2008

WILSON, ELSER, MOSKOWITZ, EDELMAN &
 DICKER LLP

By:


 Francis J. Torrence
 Attorneys for Defendants
 ANDREW B. STROUD and
 STROUD PRODUCTIONS AND
 ENTERPRISES, INC.

ORDER

Good cause appearing, the Case Management Conference, currently scheduled for August 14, 2008 is now continued to September 11, 2008, at 3:30 p.m.

Date: _____, 2008

Vaughn R. Walker
Judge of the United States District Court